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THE ALTERATION IN THE Triennial ACT CONSIDERED.

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BIBLIOTHECA BODLEIANA

THE ALTERATION IN THE Triennial ACT CONSIDERED.

BEfore I ſpeak of the Alteration which is now making in the Act, entituled, *An Act for the frequent Meeting and Calling of Parliaments* I ſhall give a ſhort Account of the Occaſion, Riſe and Deſign of that Act.

The firſt Parliament which was called by King *Charles* II. was continued by that Monarch for the ſpace of ſeventeen Years: When finding that they begun to project certain Schemes not altogether agreeble to his Inclinations, he diſſolved them; and the Year after called another. This new Parliament being diſagreeable to the Court was diſolved after

the first Session, and succeeded by another in the following Year; which being no more tractable than the foregoing one, was likewise dissolved after one Session. This was followed by the *Oxford* Parliament which was but of seven Days Continuance. That King at length growing weary of such Assemblies, contrived to live without them for about the four last Years of his Reign.

King *James* II. upon his coming to the Throne called a Parliament; but not being able to bring them into his Measures, he let them sit but one Session, and made no further Use of Parliaments for the remaining part of his Reign.

This sitting of Parliaments being so very precarious, though at the same time so necessary to the Welfare of the Kingdom; the House of Lords, in the sixth Year of King *William* and Queen *Mary*, passed the Bill for a Triennial Parliament.

Upon their sending it down at that time to the House of Commons for their Concurrence, it was espoused by several who had long complain'd of the Disuse of Parliaments; but would never have been carried, had not a Party been very zealous for it, in hopes it would distress the Prince in that Juncture who was then upon the Throne. For till that time this very Party had been great Sticklers for the Prerogative in this Point; and had declared their Abhorrence of any such Innovation in the Constitution. This Bill at length passed into a Law, both

both Parties propoſing to themſelves different Views in it. The Malecontents under that Reign found it was diſpleaſing to the Prince, and would tend very much to cramp his Meaſures; while thoſe who meant honeſtly thought it would turn to the Good of their Country, by hindering any bad Prince from perpetuating a Houſe of Commons, and by obliging him to hold frequent Seſſions of Parliament.

This Expedient having been tried above twenty Years, has been found ſo full of Inconveniences, which were not foreſeen by the Legiſlature; that the Houſe of Lords, among whom the Triennial Act firſt took its riſe, have made an Alteration in it which they apprehend will take away the Inconveniences of the Act as it now ſtands, and at the ſame time preſerve the good Effects of it.

This Alteration only extends the Term of three Years to that of ſeven; which can never be thought an unreaſonable Length, nor would ever have been looked upon as a Grievance, had not ſome Parliaments been actually continued much longer time and capable of being continued indefinitely at the Pleaſure of the Sovereign. If this Alteration therefore takes place, it will hinder any Prince from prolonging ſuch an Aſſembly, after the Example of King *Charles* II. and at the ſame time neceſſitate him to the frequent Calling and Holding of Parliaments; which were the only Points our Legiſlators pretended to have in view upon paſſing the above-mentioned Bill in the Reign of

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King *William* and Queen *Mary*. In a word The Perpetuity or the Diſuſe of Parliament would be as much obviated by the Act when thus alter'd, as they were by the ſame Act before ſuch an Alteration is made in it.

If therefore the ſame Advantages would be preſerved by this Law, ſhould it enact a Septennial Parliament, inſtead of a Triennial; and if ſuch an Alteration would remove many Inconveniences, which we are ſubject to by this Act as it now ſtands: No Man can with any Colour of Reaſon be diſſatisfied with it.

But before I Conſider theſe Inconveniences, I cannot but obſerve the natural Conſequences of this Alteration, as it would very much raiſe the Authority and Influence of the Houſe of Commons, with regard both to the Court, and to the Houſe of Peers.

It was a ſucceſſive Complaint of both ſides in the late Reign, that Triennial Elections gave the Court a moſt extraordinary and unuſual Influence in the Choice of Burgeſſes to ſit in Parliament; and created a moſt ruinous Expence to Countrey Gentlemen, who if they did not fall into all faſhionable Meaſures, drew upon them the whole Weight of the Govenment; and were obliged out of their private Fortunes, to make head againſt thoſe who had the publick Purſe, and the Places of the Nation at their diſpoſal. They uſed to complain of the Flood-gates of the Treaſury being opened upon them; and that it was impoſſible for a Gentleman, let his Revenues be never ſo conſidera-

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ble, to make frequent Oppoſitions to the Torrent, without irreparable Loſſes to himſelf and Family. For this Reaſon, we find that during that whole Reign, however averſe the Nation were to theſe Schemes of their Governours, there was not a ſingle Houſe of Commons, that did not fall in with the Meaſures of the Court.

The ſame Reaſon alſo obviates an Objection which is raiſed by ſome againſt the Alteration in this Act, as though it would tend to fix and perpetuate a Miniſtry: And though we have no occaſion to apprehend any Danger from ſuch a Conſequence at preſent, whilſt our Affairs are in good Hands; we are put in mind of the infinite Prejudice it may be to our Countrey, ſhould we at any time fall under the Management of bad Men.

Now it is certain that the Triennial Act is the beſt Guard of a Miniſtry; not only for the Reaſon laſt mentioned, but becauſe there are few Perſons, who know themſelves ſo very ſhort-liv'd, that will be hardy enough to attack Men in Power. Their Adverſaries have not time to form Projects, or to gather a Party in their Prejudice, before they are naturally diſſolved. Beſides that, many will be afraid of their Influence in the next Election; and upon that account would not make themſelves obnoxious to the Reſentment of thoſe, who are able to play upon them the whole Force of the Government.

As this Alteration in the Triennial Act raiſes the Figure of a Britiſh Houſe of Commons, and

and gives them a great Advantage with reſpect to the Court, ſo likewiſe doth it with reſpect to the Houſe of Lords. The Peers of *England* gained a prodigious Acceſſion of Power by the Triennial Act; for in the ſame Proportion as it leſſened the Authority of the two other Branches of the Legiſlature, by obliging the Sovereign to frequent Parliaments, and the Houſe of Commons to frequent Diſſolutions, they themſelves became much more conſpicuous and influence in our Conſtitution, as being the Hereditary and ſtanding Branch of the Legiſlature.

We have already ſeen in ſeveral Diſputes between the Two Houſes, the Repreſentations of the Commons do not carry their ancient and wanton Weight with them; becauſe the Lords know it is a Body of Men, who by their Conſtitution cannot continue long out of Humour.

I need not mention the great Sway which the Triennial Act has given the Lords in ſeveral Elections. I confeſs therefore I am glad to find that this new Bill did not only riſe, but has paſſed, in the Upper Houſe; that being the only Quarter from whence I apprehended any Danger to it. However, we have the Pleaſure to find in the Conduct both of the Court and the Houſe of Lords, that they have preferr'd the Good of their Country to any narrow Self-intereſted Views.

We now come to conſider this Alteration which has been made in the Triennial Act in its

its other Lights. We have already taken notice that the two Ends propoſed by the Triennial Act, were to hinder the perpetuating any Houſe of Commons, and to make the frequent Sitting of Parliaments neceſſary. Now it is manifeſt, theſe two Ends may be attained as well by a Septennial as a Triennial Act. Our Legiſlators have no Thought of re-placing it in the Prerogative to continue a Parliament during Pleaſure, or to diſcard the frequent Uſe of Parliaments, As theſe two Points were the great Grievances which gave Birth to that Act, they are both of them prevented by this Alteration, that fixes the Term of Parliaments to a moderate Number of Years, and ſecures their being frequently held. In a word, no alteration is made as to the Frequency of holding Parliaments, but only to the Frequency of their Election. The Houſe of Commons will ſit as often as they did before, notwithſtanding this Alteration; may be diſſolved at any time within the ſeven Years if His Majeſty pleaſes; and can ſit no longer than ſeven Years if they are continued to their very utmoſt Period.

It now remains to ſhew, that there are many Inconveniences ariſing from the Act as it now ſtands, which would be very much leſſened, or entirely removed by this alteration. And as theſe Inconveniences preſs very hard upon us in the preſent Juncture of Affairs, there is an abſolute Neceſſity that a preſent Cure ſhould be applied to them.

I. The firſt and moſt obvious Inconvenience in the Triennial Act, is, *that it is too apt to throw the State into a kind of Anarchy and Confuſion.* The time of Election puts the whole Nation into ſuch Convulſions, that certainly it is not conſiſtent with the Wiſdom of a Government to make frequent Returns of the Fit neceſſary and inevitable. This Inconvenience would be peculiarly hazardous in the beginning of His Majeſty's Reign, when Sedition and Rebellion have been propagated with ſo much Induſtry among the common People. The Opportunity of a general Riſing, with which the Enemy have all along flattered themſelves, might be more than ever apprehended, when the whole Nation is in a Tumult. Beſide, is it not probable that a Foreign Potentate would turn ſuch a Time of Confuſion to his Advantage? And what might be the Conſequence, ſhould he throw in Troops among us, when the People are up in their ſeveral Elections, imbittered with Reſentment towards one another, and ſo many drawn together in a Legal Manner, who may be in a Readineſs to joyn him.

In ſhort, at a Time of Elections, one may reckon upon at leaſt five hundred Riots in the Kingdom: Nay, perhaps one would not be out in his Computation, that ſhould allow a greater or leſs Number of Riots to every Candidate. The Queſtion is, whether ſuch frequent Ferments, as are always dangerous, and might now be fatal, ſhould be often ſtirr'd up among the People at the End of every three Years, and

and particularly at the Determination of the preſent Parliament, ſhould not the Alteration take place.

The Intervals between Elections are ſo very ſhort, that they are likewiſe very tumultuous. The Parties ſtill keep up the ſame Hoſtilities, and ſeem only withdrawn into their Winter-Quarters, in expectation of the next Campaign. This Space is ſo inconſiderable, that it does not give the People's Paſſions time to ſubſide; eſpecially ſince there are ſo many, whoſe Intereſt it is to keep alive their Reſentments, and enflame their Animoſities.

This Miſchief likewiſe operates with a particular Malignity in the preſent Juncture. The Spirit of the Malecontents can be kept up hardly with any other View but of a new Election, and the Advantages they may reap from it. What elſe can encourage them in their continued Oppoſition to His Majeſty, which diſcovers it ſelf as much as ever in their treaſonable Writings and Converſation, notwithſtanding all their Open Attempts are defeated, and the Hopes of Succours from abroad in a great meaſure diſappointed.

If it be ſaid, that theſe Heats and Animoſities among the People may be allayed before the Time of calling a New Parliament, as the Act now ſtands: I allow that they will in all Probability, if there be no Proſpect of a New Election within ſuch a Space of Time; becauſe the Malecontents will not ſee their Intereſt in keeping it up, which they would certainly do,

had they ſuch a Proſpect. This Conſideration likewiſe ſhews the Neceſſity of lengthening out the Term of this Parliament without delay; ſince the ſooner all Hopes of a new Election are cut off, the ſooner will an end be put to ſuch unnatural Struggles and Diviſions, as endanger and diſturb the preſent Settlement.

We are reduced by the frequent Return of Elections to live in a Condition that approaches in a great Meaſure to a perpetual State of Civil War, and enjoy leſs Quiet and Tranquillity under our preſent Conſtitution, than is to be met with in any Government of *Europe*; and this preſent Situation of our Affairs requires an immediate Remedy to ſo great an Evil.

II. The Triennial Act produces great Diſorders in the Government, as *it makes Magiſtrates too remiſs or partial, in putting the Laws of the Land in Execution.* Not only every Candidate, but almoſt every Juſtice of the Peace, has a particular Intereſt to manage among the People. The Members of the Legiſlative Body are thoſe in particular, who are the moſt careful to lay ſeveral of their own Laws aſide, that they may not hurt their Friends, whom they have ſo ſudden an Occaſion for, or grow unpopular in their reſpective Diſtricts; who, if they are once diſobliged, have a ready Opportunity to make them feel their Reſentments. It is manifeſt, this Inconvenience, tho' not entirely to be removed whilſt there are Elections, may be very much diminiſhed when they become leſs frequent.

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This Inconvenience likewiſe is the more pernicious in the preſent Conjuncture, as the People are more diſpoſed to the Breach of Laws, and particularly of thoſe Laws which conduce to the Safety of the Conſtitution. Treaſon runs into common Diſcourſe; a Man can make no great Figure in the Party, that is not Seditious: Riots and Aſſaults paſs for Frolicks. In ſhort, the publick Peace, which has the beſt Laws in the World to guard it, is upon this Account very often betrayed by a negligent or perverſe Execution of them.

As ſuch an univerſal Licentiouſneſs ſhould be reſtrained at all times, ſo eſpecially at preſent, when it rages to ſo great a Height, that it looks almoſt like a Continuance of the late unnatural Rebellion.

III. Such frequent Elections as are the neceſſary Effects of the Triennial Bill, *have a very fatal Influence on the Religion and Morals of the People; and thereby alſo render them leſs uſeful to their Families and the Publick.* It is viſible that they have of late Years very much debauch'd the Minds of the common People, and betrayed them into Vices, which otherwiſe they would have neither Temptation nor Ability to commit. The Countrey is on ſuch Occaſions filled with Drunkenneſs, approbrious Language, impious Oaths, and Execrations, with Violence and Party-Rage, and often with Bloodſhed: Not to mention the general Bribery and Corruption which alienates Men's

Men's Minds from all generous and diſintereſted Views of the publick Good.

Theſe Vices revive in ſuch a quick and frequent Succeſſion of Parliaments, that they grow habitual, and ſhew themſelves every where to the Diſgrace of all good Government.

Beſides, the evil Influence which this part of our Conſtitution has had on the Clergy, naturally redunds to this Profaneneſs and Irreligion among the People. This Influence will ſtill continue, if Men in holy Orders, to help the Cauſe of their Patrons, divert themſelves from the Studies of Religion to thoſe of Politicks; and utter things from the Pulpit that diſpoſe their Hearers to vote their own way in the next Election, rather than to practiſe the Duties of Chriſtianity.

Experience ſhews us how ruinous this Courſe of Immoralities is to the particular Families of the Electors, as well as to the State in general, The great Decay of our Woollen Manufacture is by our moſt eminent Traders very much aſcribed to the late frequent Riots and Commotions among the ordinary People, whoſe Minds have been taken off from their reſpective Callings and Occupations, interrupted in a Courſe of Induſtry, and turned to other Matters by frequent Elections.

This Inconvenience is likewiſe particularly dangerous in the preſent Juncture, when Sedition and Rebellion is propagated with ſo much Induſtry among the common People. The more Men are impoveriſhed, the more they

they are for Innovations; and many of the Perſons concern'd in the preſent Rebellion were Men of deſperate Fortunes, who had ruined themſelves and Families by engaging too warmly in the Expence of Elections and Conteſt of Parties.

IV. We have thus far conſidered theſe Elections principally with regard to the Electors. If we conſider them with regard to the Candidates in Elections, we find that *their Frequency produces inſufferable Expence to the Gentlemen of* England. The Countrey-Gentlemen in particular have been very great Sufferers, and will by degrees be ruined by it, unleſs ſome Remedy be applied to this Inconvenience. Nothing is more common for them than to throw away the Portion of a younger Child in two or three Elections, nay ſometimes in a ſingle one; and during the ſhort Interval that ſucceeds them, are many of them no better than the Slaves of ſome neighbouring Corporation, whoſe Service they muſt ſo ſoon have occaſion for.

We have before ſeen how this Expence naturally ariſes from the Attacks of the Court and the Lords; and were both theſe out of the Conſideration, the frequent Demands of the Electors are of themſelves inſupportable, who by reaſon of theſe conſtant and frequent Returns of Elections, ſupport themſelves principally by the Advantages of them, and very often lay aſide the Thoughts of ſubſiſting by an honeſt Induſtry. They know very well that they may find

find a good Market once in three Years, when there are ſo many monied Men in the Nation ready to offer themſelves, if a Country-Gentleman does not accept their Conditions. All the good Acts that have been, or can be made againſt Bribery, will be ineffectual for the Cure of this Evil, ſince Experience teaches us, that the Weight of them only falls upon thoſe who have the Misfortune to be in the Minority of a New Parliament. Whereas it is evident that this Burden on the Candidates, and on the Country-Gentlemen in particular, by the very Nature of it would be conſiderably abated, were not a Houſe of Commons ſtinted to ſo ſhort a Number of Years.

This Hardſhip would lie heavier than ever upon His Majeſty's Friends in a new Election, ſhould the preſent Parliament end after a Term of three Years from its firſt meeting. Can we ſuppoſe that the Popiſh Intereſt both at home and abroad, which has contributed ſuch extraordinary Sums to the late Inſurrections, would not make as large Contributions for the gaining of a Parliament that would be able to carry on their Meaſures, for the Diſturbance of His Majeſty's Reign: eſpecially when by ſuch a Parliament they might ſhelter ſuch of their Friends as have been concern'd in the Rebellion, and preſerve thoſe Roman-Catholick Eſtates which are otherwiſe in danger of being forfeited?

This we may further conclude from the great advantage which now more than ever would accrue to their Cauſe from a Majority of

of Tories, though we ſhould ſuppoſe them to be perſonally well-affected to His Majeſty, ſince by their Principles, and the whole Tenour of their Conduct, they are naturally diſpoſed to favour *France* in Oppoſition of the true and ancient Allies of the *Britiſh* Nation; to ſhew an unaccountable Indulgence to thoſe who have been engaged in the preſent Rebellion; to ſtrain the Laws with the greateſt Severity upon their Proteſtant Brethren, and hinder them from being put in Execution againſt the Papiſts; to approve the late deſtructive Peace, and by that means to encourage foreign Powers not to make ſuch farther Conceſſions, as may in ſome meaſure qualify the ill Conſequences of it.

Theſe Motives would make the Roman Catholick Intereſt both at home and abroad ſpare no Coſt in ſuch a critical time. To which I muſt add, that there is no queſtion but the Popiſh Intereſt would exert itſelf with its utmoſt force at ſuch a Juncture: ſince they have reaſon to believe that their Cauſe is for ever loſt in this Iſland; if a King, who is zealous for the Proteſtant Intereſt, and bleſt with a numerous Iſſue, comes to be quietly ſettled in the Poſſeſſion of theſe his Dominions.

V. As the former Inconvenience relates to Gentlemen during the Time of their Election, there is another ariſing out of the Triennial Act, as it now ſtands, which no leſs affects them when they are Elected: As *theſe Elections take up too much of the Time of the Houſe of Com-*

mons in adjuſting them. So many diſputed Elections come before the Houſe, that the Right of ſeveral cannot be ſettled before the Parliament is at an End: And it may ſo happen, that the caſting Votes, in a Queſtion of the greateſt Importance, may come from thoſe who had not a Right to give it.

Several Gentlemen, whoſe Petitions fall among ſome of the laſt, whowever juſt their Pretenſions may be to a Seat in Parliament, very often withdraw them, as not caring to be at the Expence of a Trial; which, if it ends in their Favour, can procure them a Place but of ſo very ſhort a Continuance. This we ſee confirmed by a very late Matter of Fact: Several Perſons, who deſigned to withdraw their Petitions upon a Suppoſition that this Parliament was to be only Triennial, being now determined to bring them to a Deciſion, if the Bill paſſes for prolonging the Term of its Duration

Add to this, that the Attendance on Elections is the greateſt Fatigue complained of by our Repreſentatives in Parliament; and that moſt of their Time is taken up in thoſe Proceedings which leaſt turn to the Honour of a Houſe of Commons.

This Inconvenience too is particularly miſchievous in the preſent Juncture, when our Parliament is like to have a greater Weight of Affairs upon them than ever; which muſt happen in the Beginnings of every new Settlement, eſpecially when it is diſturbed by Rebellions at home, and threaten'd with Invaſions from abroad.

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They have likewiſe ſeveral State Criminals under their Conſideration, whoſe Trials cannot well be brought within ſo ſhort a compaſs of time. They have before them one of the moſt dangerous Conſpiracies that ever was formed for the Subverſion of our Government and Religion which cannot be examined to the bottom, and thoroughly laid open, without ſufficient Time. The Secret Offenders cannot be diſcover'd, nor the Publick convicted, the Innocent cleared, nor the Guilty brought to Puniſhment, conſidering the tedious Forms which neceſſarily accompanied ſuch Proceedings, ſhould the Parliament conlude in the midſt of theſe their Enquires.

VI. But the laſt and greateſt Objection to the Triennial Act, as it now ſtands, is, that *it expoſes our Government to ſuch frequent Changes, as on many Accounts are wholly inconſiſtent with its Security and Welfare.*

A great Lord, who was remarkable for his Wiſdom and Penetration, foreſaw this natural Conſequence of the Triennial Bill, when it was firſt ſet on foot; and therefore pronounced his Opinion freely againſt a Triennial Parliament, as it would in effect produce a Triennial King, Triennial Alliance, and a Triennial Conſtitution. It is certain that an indifferent Scheme, purſued with Steadineſs, is more likely to redound to the Benefit of the Publick, than a good one that is carried on with Fickleneſs and Irreſolution by the Government; and from time to time thwarted, perverted, or cancelled,

by the Legiſlature. But by this Flaw in our preſent Conſtitution, the beſt Meaſures which have taken place for three Years, may not only be diſcontinued, but condemn'd by the Voice of the Nation for the ſucceeding three Years, and afterwards have a Chance of being reſumed, while the oppoſite Scheme is as ſure to be condemned in its turn. This will certainly happen, if the Party which had a Superiority in the preceding Parliament fail of Succeſs in the Elections for a new one: Whereas were the Term of Parliaments fixed to a greater number of Years, a good Scheme might have time to take its full effect, or at leaſt ſo far to recommend it ſelf to the Experience of the People, that it would be unpopular and impracticable to ſubvert it.

This frequent Change of political Meaſures has had a very ill effect upon the Minds of foreign Potentates, who do not much apprehend our Reſentments when they are our Enemies, nor depend upon our Friendſhip when they are our Allies. Hence it is that foreign States and Potentates, who have been the ancient Friends of the *Britiſh* Nation, and are under the common Ties of Intereſt or Religion, are very backward to engage in Treaties with a Government that is ſubject to ſo many Changes; as not knowing but their Friendſhip towards us may turn to their Diſadvantage; and that whatever Articles we may now ſtipulate with them, they may in a little time be annulled, by the quick Changes in one Branch of the Legiſlature.

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They repreſent themſelves, who have a Conſiſtency in their Government as not upon an equal Foot with an Ally, who by the Frame of his Conſtitution is ſo variable and wavering in his Meaſures.

As Triennial Parliaments in general expoſe a Government to too many Changes, ſo this Miſchief would be more dangerous than ever in the preſent Conjuncture. Though it has pleaſed God to give Succeſs to his Majeſty's Arms over ſome who have appeared in open Rebellion againſt him, and to defeat the Counſels of others who might have made that Rebellion univerſal, (had it not been prevented by an extraordinary Vigilance) yet after ſo late and violent a Shock, his Government has not had time to ſettle.

The Minds of the People are not yet recover'd from thoſe groundleſs Prejudices, which have been inſtilled into them by the King's Enemies; and notwithſtanding the great Eſteem paid to His Majeſty by the foreign Courts of *Europe*, his Influence, unleſs ſtrengthen'd by the Proſpect of a *Britiſh* Parliament that will perſiſt in his preſent Meaſures, may not be ſufficient to form neceſſary Alliances, or to gain by them very conſiderable Advantages for his People.

Thus we find that the Alteration in the Act *for the frequent Calling and Meeting of Parliaments* will continue to us all the Benefits of that Act, give a greater Figure and Authority to the Houſe of Commons, and conſequently

to

to all the Commons whom they repreſent; remedy the many Inconveniences that redound to the Publick from that Act as it now ſtands; and that each of theſe Inconveniences require ſuch an immediate Remedy in the preſent Juncture of our Affairs.

Theſe Reaſons for the Alteration are ſo clear, ſo ſtrong, and obvious, that we do not find any who is againſt it has thought fit to enter ſeriouſly into this Controverſy in Print: and that notwithſtanding ſuch an intended Alteration appeared very ſhocking at firſt, it has gained to its ſide multitudes of thoſe who were againſt it before they had thoroughly conſidered it, and that in Proportion as Men have had time to examine the Reaſonableneſs and Neceſſity of ſuch an Alteration, they have come over to it. There is no queſtion but, if it paſſes into a Law, the whole Nation will be ſenſible of its good Effects, and approve the Wiſdom and good Intentions of the Legiſlature, who have ſo manifeſtly conſulted the Peace and Safety, the Strength and Honour of their King and Countrey.

FINIS.

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